

CLEAN WATER COUNCIL

Meeting Highlights

June 13, 2000

Location

N.J. Environmental Infrastructure Trust, 3131 Princeton Pike, Lawrenceville

Attendees

See attached attendance list.

Highlights Summary

Public Hearing Recommendations

State Plan Comments

- The Council was waiting for the Water Quality and Watershed Management Rules to be proposed before they comment on the coordination between the rules and the State Plan.
 - A draft resolution that supports the rules coordination with the State Development and Redevelopment Plan was distributed. The Council will vote on this recommendation at the next meeting.
- The Water Quality and Watershed Management Rules will appear in the July New Jersey Register.

Follow-up Action

- The Council will vote on the draft resolution at the July 11, 2000 meeting.

MTBE/Toxics Comments

- MTBE in ground water
 - Is there some way for DEP to address the issue immediately?
 - Use MCL as the first flag.
 - Contaminants are unregulated and there are no standards.
 - Water purveyors are not required to report unregulated contaminants.
 - In Toms River, extensive testing was done and regular tests were run.
 - If there is an unusual anomaly, the results should be reported to DEP.
 - Should DEP take action when an anomaly occurs?
 - A report on everything that they find should be available to the public.
 - The public needs an opportunity to make a decision to correct the problem rather than having no knowledge at all.
 - What do we tell people when there is a high level of a contaminant found?
 - There is no health rule available.

- At what level is the public notified?
 - Is there a contaminated site downstream?
- What is the interpretation of the data? What is the comparison?
- What is the logical next step to notify the public of TICs or unregulated contaminants?
- How do we get compounds that matter regulated?
- How do we provide information to the public and in what manner?
- We should look at what other states do on this issue – New York/California.
- MTBE in Gasoline
 - Recommendation prepared by Lou Neely
 - Change “monitory” to “mandatory.”
 - Remove the word “respectively” and add “approximately” 137 days.
 - Change last sentence to read “For these reasons, the Clean Water Council makes recommendation that the additive, MTBE, be eliminated from reformulated fuels as quickly as possible.”
 - Add sentence at the end of recommendation to say, “We encourage the DEP to continue to investigate the impacts of MTBE on the waters of the state.”

Follow-up Action

- Lou’s recommendations as discussed were approved by the Council.
- Draft language for the recommendation for the DEP to develop a strategy to address unregulated compounds in drinking water was also approved as discussed.
- Karen will draft document for Pat’s signature. We will wait to include recommendation pertaining to the rule.
- The Council will vote on the recommendations at the July 11th meeting.
- The Council will invite the Commissioner to attend a meeting to discuss the recommendations. Erin Indelicato will check on the Commissioner’s availability for August/September.
- At the September organizational meeting of the Council, the Council would like to discuss preparing recommendations from the hearing in a more timely manner.
- Erin Indelicato will provide the Council with a copy of the report on MTBE from Gloria Post.

Water Quality and Watershed Management Rules

- The rules were signed and filed on June 5, 2000.
- The rules are posted on the DEP web page (www.state.nj.us/dep/watershedmgt).
- The summary and the rules are listed separately on the web page.
- A Table of Contents is also provided.
- The presentation made to the stakeholders is also available on the web page.
- There are a series of fact sheets which identify the three public hearings.
- Maps are available which show development, sewer service areas and why the rule is important.

- There is a USGS map showing nitrate loadings.
- The version of the rule that is on the web page will not be the version in the Register. OAL has suggested changes to this version.
- Comments can only be submitted from the official New Jersey Register version.
- The Governor has issued a press release and held press briefings.
- The rule addresses watershed management as well as wastewater disposal in all areas of the state. The Department will now look at development using septic systems as wastewater disposal. Six or more in the development will require an amendment to the WMP.

Follow-up Action

- Pat Matarazzo suggested that everyone read the rule.

CWC Web Page

Follow-up Action

- Lance Miller will follow-up on the status of the web page.

July 21st Joint Meeting of the Councils

- The Clean Water Council is invited to participate in this meeting with the Clean Air Council and the Water Supply Advisory Council.
- A list of common issues between councils was distributed.
- It was suggested that the councils meet once a year to discuss common issues.
- The meeting will be from 10:00 until 3:00 on July 21st at the N.J. Infrastructure Trust.

Follow-up Actions

- If you have any additional issues, please contact Erin Indelicato at (609) 292-1413 and she will add them to the agenda.
- Each Council should let Erin know how many people are planning to attend.
- Erin will prepare the agenda and send to the Chair of each council.

Watershed Conference

- Watershed Management Planning will be underway in all areas of the State by the end of September 2000.
- The conference will bring everyone together to share their experiences.
- The WEF has agreed to hold the Watershed Conference as part of their conference in Atlantic City. The Watershed Conference will be a day and a half at the end of the WEF Conference. May 3rd and May 4th are the dates for the Watershed Conference.
- The Watershed Association Institute and the Water Environment Federation will be the sponsors.

Follow-up Action

- Please contact Lance Miller at (609) 984-0058 if you have any issues for the conference.

Annual Watershed Awards Program

- The awards will be given out in May 2001.
- Some awards will be given out at the League of Municipalities Conference in November.
- Looking for members of the CWC to participate as judges.
 - Judges will be chosen in July.
 - Decisions for judges made in August.
 - Judging begins in September.

Follow-up Action

- Criteria for participating as a judge for the awards program will be prepared.
- Judges for the Watershed Awards Program will be discussed at the July 11th meeting.

STATEWIDE WATERSHED MANAGEMENT ADVISORY COUNCIL MEETING

**Meeting Highlights
June 13, 2000**

Location

N.J. Environmental Infrastructure Trust, 3131 Princeton Pike, Lawrenceville

Attendees

See attached attendance list.

Highlights Summary

CWC Updates

- The CWC is preparing the finalization of the recommendations from the hearing.
 - MTBE recommendations
 - State Plan consistency in the Water Quality and Watershed Management Rules.
 - Unregulated contaminants found in ground water.

Water Quality and Watershed Management Rules

- The rules address how and where development will occur in the State of New Jersey through wastewater management plans and water quality management plans.
- Approvals will be amendments to Areawide Water Quality Management Plans.
- Issues need to be addressed at the municipal level
 - Sewered areas
 - Discharge to ground water areas
- New development outside a sewer service area will be required to do an amendment to the water quality management plan.
- Wastewater is wastewater whether it is from a septic system or a public system. It still has impacts on water quality.
- Discharge to ground water has changed:
 - New development with a discharge to ground water has to come in for an amendment.
 - Five units or less is exempt.
 - Development within a sewer service area is exempt.
- Headwaters definition was utilized in the rule.
 - There were two uses:
 - Headwaters – The definition that was developed was utilized.
 - Headwaters Area – This definition adds the drainage area going to a headwaters stream.

- The adoption of the definition of Headwaters in this proposed rule is a milestone of the CWC.
- The rules were signed and filed on June 5, 2000.
- The rules will appear in the July 3rd New Jersey Register.
 - There will be a 60 day comment period
- The version on our web page is not the official version. Comments can only be submitted on the New Jersey Register version.
- There are three public hearings scheduled:
 - July 18th – Gloucester County College
 - July 25th – Morris County
 - August 2nd – DEP, Trenton
- Adoption anticipated by the end of 2000.
- Electronic comments preferred as Microsoft Word document.
- The rules address three categories:
 - Existing SSAs
 - Approved SSAs
 - Proposed SSAs
- SSAs will be updated with GIS based coverages.
 - GIS coverages to be completed by the end of the year.

Follow-up Action

- Everyone should read and develop recommendations as to the consistency with the State Development and Redevelopment Plan.
- What “center” does OSP recognize? Need a meeting with State Planning Commission.

NPS/TMDL Issues

- Several agendas were brought up at the WEF conference in Atlantic City.
- Antidegradation
 - Don’t want a stream in good condition degraded anymore.
- TMDL process
- Looking for Council members to participate next year.
- Stormwater
 - Need help with NPS implementation.
 - Liz Rosenblatt distributed a proposal.
 - Morris County Planning Board looking for a technical advisory committee to help them oversee the products that are developed.
 - Members of the Statewide Watershed Advisory Committee may want to participate.
 - We will let Morris County know by July if that are going to handle the contract.
 - Morris County will subcontract the work with companies who have done this type of work.
 - Need funding to implement.
 - Need to identify costs of all NPS controls for new and existing development.

- Looking for assistance from municipalities and their planning consultants to identify the potential costs involved.
- Data on cost estimates due to EPA by February 2001.
- Fee-Based Stormwater Utility Concept
 - Not a lot of knowledge in New Jersey.
 - Should someone with experience in this area come in and speak to us on this issue.
 - Develop a legislative proposal for New Jersey.
 - Will not be funded through property taxes.
 - Assess contribution through a stormwater utility billing process.
 - There is a WEF publication on stormwater utility that is good reading.
 - What's the best mechanism to advise the public of this new cost?
 - Many stormwater and detention basins do not allow for cleaning and maintenance.
 - Need to develop a different type of engineering solutions to address this issue.
 - A stormwater utility can seek low interest loans from the Infrastructure Trust to get retrofit projects implemented.

Follow-up Action

- Pat Matarazzo, Liz Rosenblatt, Dan Van Abs, Leo Coakley, Tom Kellers and Joe Skupien identified to participate on a task force.
 - Task force will provide advice on implementation of the Scope of Work
 - Task force will help provide direction and guidance to the consultant.
- Anyone interest in participating on the task force should contact Liz Rosenblatt at (609) 633-1349.

Other

- Initial roll-out meeting for WMA 3 and 4. Meeting will be held on June 13th from 3-6 p.m. in the Passaic County Academic Center. This is a chance for the stakeholders to meet each other.
- Glenn Haas from Massachusetts DEP won a national award on watershed management. We would like to invite him to attend a meeting to discuss what Massachusetts has done on watershed management.
- Whippany Presentation to the subcommittee – Schedule for July 11th meeting.
- CARA
 - DEP supports
 - \$60 million a year given to New Jersey for open space preservation

The next meeting of the Council and Subcommittee is scheduled for July 11, 2000 at the N.J. Infrastructure Trust.